

consist of three freeholders, whose duties shall be the same as prescribed in section twelve (12) of this act. Proviso.

SEC. 31. The board of magistrates and the board of county commissioners of Madison county shall at the time of assessing the state and county taxes for the year eighteen hundred and ninety-five (1895), and each year thereafter, levy a special road tax of five (5) cents on every one hundred dollars worth of taxable property in Madison county, and fifteen cents on the poll, to be specially applied on the public roads of the county in the purchase of tools and material for blasting purposes and in the construction of bridges and for other purposes in the construction and repairing of the public roads. Special tax to be levied.

SEC. 32. The said road tax shall be collected by the sheriff and paid to the treasurer of the county to be kept by him as a separate fund, and to be paid out by him only on the orders of the boards of supervisors of public roads. Collection of said tax.

SEC. 33. The road tax fund shall be held by the treasurer of the county subject to the order of each board of supervisors in proportion to the amount assessed and collected from such township: *Provided, however*, that the board of supervisors in any township may order such portion of the fund belonging to said township, as to them may seem advisable, to be expended in any other township in the county. Fund to be held by county treasurer, &c.
Proviso.

SEC. 34. Every person imprisoned for crime in Madison county, except in capital cases, and every person imprisoned on default of the payment of costs in criminal cases, shall be adjudged to work on the public roads, and the presiding judge or justice of the peace shall so direct in passing sentence on said party. Criminals to work on roads in Madison.

SEC. 35. The board of county commissioners shall make due provision for working the convicts in the county on the public roads, and should they fail to assign the convicts in the county to such service and to make provision for their management and support during such service they shall be guilty of a misdemeanor, and upon conviction thereof in the superior court shall be fined fifty dollars each and imprisoned for one year or less in the discretion of the court. Commissioners to arrange for working convicts, &c.

SEC. 36. Lumber companies or persons engaged in the lumber trade in Madison county shall be held responsible for the unusual injury done the roads in hauling lumber over them. Lumber companies, &c., responsible for unusual damages.

SEC. 37. When such injury is reported to the board of supervisors they shall notify the party or parties to repair such injury within ten days. If such party or parties fail to make such repairs within the time specified, the board of supervisors shall appoint two suitable persons to assess said damages and report the same to them within five days. Party doing such injury to road to be notified, &c.
If parties fail to make repairs, a committee of overseers to be appointed.

SEC. 38. When the committee of assessment shall have reported damages done to said road or roads, the board of supervisors shall Parties to be summoned to answer report of said committee.